

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF CORRECTION

103 CMR 478

LIBRARY SERVICES

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478.01 Purpose

The purpose of these regulations is to establish department policy regarding library services. The objective of this document is to provide a guide for the planning, implementation and evaluation of library services in all state correctional institutions.

478.02 Statutory Authorization

These regulations are issued pursuant to M.G.L. Chapter 124, Section 1(c),(q), and are consistent with M.G.L. Chapter 78, Section 19E(4).

478.03 **Cancellation**

These regulations cancel all previous department policy statements, bulletins, directives, orders, notices, rules or regulations regarding library services.

478.04 **Applicability**

These regulations are applicable to all employees and inmates at all correctional institutions within the Department of Correction.

478.05 **Access to Regulations**

These regulations will be maintained within the central policy file of the department and will be accessible to all department employees. A copy of this policy shall also be maintained in each superintendent's central policy file and in each inmate library.

478.06 **Definitions**

- (1) Access - use of general and law library services on a scheduled basis.
- (2) Audio-Visual Equipment - any equipment needed to facilitate the use of non-print library material, such as films, filmstrips, slides, recordings, videos, etc.
- (3) Board of Library Commissioners - ("BLC") the state agency responsible for the establishment and development of library media centers in state institutions.
- (4) Circulation - the activity of a library in lending books and other materials to borrowers and keeping records of the loans.
- (5) Collection - the total accumulation of all library materials provided by the library for its users, also called resources or holdings. It may consist of books, periodicals, pamphlets, records or tapes, filmstrips, slides, pictures, games, etc.
- (6) Commissioner - The Commissioner of Correction.
- (7) Inter-Library Loan a cooperative arrangement among libraries by which one library may borrow material from another.

- (8) Library Materials - the total bibliographic holdings or resources of the library consisting of books, periodicals, pamphlets, records, tapes, filmstrips, slides, pictures, games, etc.
- (9) Library Services - the total services rendered by the library to its users, including provision of information, reference, bibliographic aid, lending materials, reading guidance, etc.
- (10) Manager of Library Services - that employee designated by the Commissioner of the Department of Correction as being responsible for coordination of library services.
- (11) Media - printed and audiovisual forms of communication and any necessary equipment required to make them usable.
- (12) Network - a cooperative organization formed to provide services to members.
- (13) Technical Services - all activities concerned with obtaining, organizing and processing library materials for use.
- (14) Superintendent - Chief administrative officer of each state correctional institution.

478.07

Staff

- (1) Institution Librarian - A full time staff member holding either a master's degree in library science or certification as a professional librarian. All institutions with an inmate population over two hundred (200) should be staffed with an institution librarian. All institution librarians shall be selected with the approval of the manager of library services.
- (2) Library Aide - A staff member with either prior library experience or professional library training who will be assigned by the superintendent to coordinate library services under the supervision of the manager of library services at those institutions with a population under two hundred (200) which do not have an institution librarian.

- (3) Manager of Library Services - A full time staff member of the Department of Correction, who coordinates and supervises library services for all institutions in the system. The manager of library services shall have a master's degree in library services or certification as a professional librarian. The manager of library services, in conjunction with the appropriate institution personnel, shall participate in the goal setting and review process for all institution librarians and shall be a co-signatory on all librarian reviews.
- (4) Institution librarians shall meet regularly to form and maintain a network for the purpose of communication, resource sharing, continuing education and training, and the development of cooperative projects and/or grant proposals. Librarians shall maintain communications and establish liaisons with their counterparts in similar institutions and in all types of libraries outside the institution.
- (5) Specifications for library personnel shall be written, to the extent feasible, with cooperation of the department's manager of library services, the institutional director of treatment, and the consultant for services to institutions from the Massachusetts Board of Library Commissioners.
- (6) Institutions may use inmates as library clerks, subject to the approval of the superintendent and the institution librarian.

478.08 **Budget**

Each institution librarian or library aide shall make annual budget recommendations to the superintendent and the manager of library services. Advisory guidelines can be found in the Library Standards for Adult Correctional Institutions.

478.09 **Facilities and Equipment**

It is recommended that the correctional library be functional in design and inviting in appearance. The types of equipment and machinery will vary depending upon the services and programs of the institution and its library. All libraries should have typewriters, copying equipment, and audio-visual equipment.

478.10

General Library Services

- (1) Purpose - The library is an information center for the institution. Library services support, broaden and strengthen the institution's program including such specific programs as Holistic Health. The library provides a variety of services, materials and programs comparable to a public library. Advisory guidelines can be found in the Library Standards for Adult Correctional Institutions.
- (2) The library should encompass a variety of services, materials, and programs. These should include but not be limited to:
 - (a) planned and continuous acquisition of materials;
 - (b) logical organization of materials for convenient use;
 - (c) circulation of materials to maximize use and satisfy informational, educational and recreational needs of users;
 - (d) reference and information services;
 - (e) reader's advisory services;
 - (f) promotional activities to publicize the library's resources;
 - (g) audio-visual programs; and
 - (h) motivational programs to attract users and encourage activities and participation in a variety of projects.
- (3) The library should have cooperative inter-library loan affiliations with various segments of the library community to supplement its own print and non-print resources.
- (4) In institutions with fewer than two hundred (200) inmates, the manager of library services and the institutional staff member assigned by the superintendent to be responsible for library services shall determine the best method for providing those services.
- (5) The library shall have copies of all unrestricted department and institution policies available for the staff and inmates.

478.11

Legal Services

- (1) General - The constitutional right of access to the courts requires that, when requested, inmates receive assistance in preparing and filing legal papers. This assistance may include access to law library facilities, instruction in the use of legal materials and reference assistance. However, such assistance shall not include legal advice or direction of legal research on the part of library personnel.
- (2) Law Collection - Each institution with an inmate population over two hundred (200) shall have a law collection. As suggested by federal and state court rulings and national standards, the law library should include at a minimum: state and federal constitutions, state statutes, state decisions, procedural rules and decisions and related commentaries, federal case law, court rules, practice treatises, citators, legal periodicals and digests.
 - (a) The law collection shall be maintained and updated by the institution librarian.
 - (b) Legal materials, with the exception of photocopies, shall not be circulated.
- (3) Access - Library access shall be scheduled and coordinated by the librarian and shall be provided to all inmates within the institution. An inmate of any state correctional institution without an adequate law collection may request transportation to an institution with a law collection for the purpose of conducting legal research. This request shall be made in writing to the superintendent or his/her designee. The superintendent may provide access to legal assistance in lieu of law library services as he/she deems appropriate.
- (4) Photocopies
 - (a) Photocopying services shall be for the purpose of duplicating original legal documents and for the purpose of increasing access to the legal collection. The superintendent shall designate the staff members responsible for photocopying legal documents and legal reference materials.

- (b) All photocopy requests shall be compiled within reasonable amounts at no charge. In order to provide photocopying services to all inmates, the superintendent may establish guidelines and limits, subject to the review of the Commissioner or his/her designee.

The librarian shall make reasonable efforts to secure materials not in an institution's collection but available through established inter-library loan procedures.

(5) Supplies

- (a) The institution shall make reasonable efforts to assist inmates in the preparation and processing of their legal documents. Items such as paper, pencils, and envelopes shall be provided to all inmates who request them and should be available free of charge. The superintendent may establish guidelines and limits for such services, subject to the approval of the reviewing authority.
- (b) Records shall be kept of access, photocopy use and supplies dispersed, including to whom supplies were dispersed.

478.12 **Operating Procedures**

- (1) Library service staff with the approval of the superintendent, shall post a schedule of library hours and activities.
- (2) Written procedures regarding daily operating procedures shall be established by the librarian with the approval of the superintendent.
- (3) An inventory of equipment and materials shall be conducted annually by the librarian. (See attachment A.)
- (4) Each superintendent in cooperation with the librarian should establish procedures to ensure the security of the library and the library collection.

478.13 **Collection Development**

Library materials should be selected to meet the

educational, informational, legal, cultural and recreational needs of its users. These materials should be relevant to the needs and interests of the population, reflect different reading levels, languages, special interest and ethnicity of inmates. See the Library Standards for Adult Correctional Institutions.

To ensure that materials meet these needs, each library should have a written statement of policy that defines the principles, purposes and criteria to be considered in the selection and maintenance of library materials.

This statement should apply to gifts and donations as well as to purchased items. In addition, inmates may make suggestions for acquisitions to the librarian.

478.14 **Responsible Staff**

- (1) The manager of library services, under the direction of the Director of Offender Management and Placement, is responsible for coordinating all programs and services for libraries within the Department of Correction and for monitoring and reviewing these regulations. The manager shall also be the liaison with the Board of Library Commissioners.
- (2) The superintendent of each institution in conjunction with the library services staff is responsible for implementing these regulations and developing procedures pursuant to its application.

478.15 **Annual Review Date**

These regulations shall be reviewed at least annually from the effective date by the Commissioner or his designee. The party or parties conducting the review shall develop a memorandum to the Commissioner with a copy to the central policy file indicating revisions, additions, or deletions which shall be included for the Commissioner's written approval.

478.16 **Severability Clause**

If any article, section, subsection, sentence, clause or phrase of these regulations is for any reason held to be unconstitutional, contrary to statute, in excess of the authority of the Commissioner or otherwise inoperative, such decision shall not affect the validity of any other article, section, subsection, sentence, clause or phrase of the regulations.

478.17 **Effective Date**

These regulations are effective upon publication in the
Massachusetts Register.